

Wetlands Bureau Decision Report

Decisions Taken
11/22/2004 to 11/28/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MINOR IMPACT PROJECT

2004-01131 W S GOODRICH INC
EPPING Unnamed Wetland

Requested Action:

Fill approximately 8,940 square feet within palustrine forested wetlands to construct a driveway to provide access to two potential groundwater extraction well sites.

Preserve approximately 5.32 acres on-site through execution of a conservation easement to compensate for the removal of approximately 1.70 acres of wetlands and upland buffer from an existing conservation easement on Lot 283-007 (Epping Tax Map 29) and Lot 001 (Epping Tax Map 37).

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated June 25, 2004 the Epping Conservation Commission made the following recommendations: 1) the proposed easement boundary should be increased to better compensate for the proposed loss of wetlands functions and values, and the boundary should be drawn more simply to ease future monitoring; and 2) the existing easement language should be modified to require removal of the access road should the wells fail to be established or fail go into production.

APPROVE PERMIT:

Fill approximately 8,940 square feet within palustrine forested wetlands to construct a driveway to provide access to two potential groundwater extraction well sites.

Preserve approximately 5.32 acres on-site through execution of a conservation easement to compensate for the removal of approximately 1.70 acres of wetlands and upland buffer from an existing conservation easement on Lot 283-007 (Epping Tax Map 29) and Lot 001 (Epping Tax Map 37).

With Conditions:

1. All work shall be in accordance with the following plans by Jones & Beach Engineers, Inc., as received by the Department on October 26, 2004:
 - a) The Overview Site Plan (Drawing OA1), the Wetland Impact Plan (Drawing C3) and the Detail Sheet (Drawing D1) dated May 17, 2004 and revised August 13, 2004;
 - b) The Erosion & Sediment Control Details (Drawing E1) dated May 24, 2004 and revised August 13, 2004; and
 - c) The Amended Conservation Easement Plan (Drawing A2) dated May 25, 2004 and revised August 13, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Wetland impact areas authorized by this permit shall be restored in accordance with the Restoration Plan received by the Department on October 26, 2004 if the groundwater extraction wells are not established.
5. Work shall be conducted during low flow conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.1.

Upland Buffer and Wetland Preservation:

11. This permit is contingent upon the execution of a conservation easement on approximately 5.32 acres on-site, including 3.64

acres of wetlands and 1.68 acres of contiguous upland buffer, as depicted on the Amended Conservation Easement Plan (Drawing A2) by Jones & Beach Engineers, Inc. dated May 25, 2004 and revised August 13, 2004, as received by the Department on October 26, 2004.

12. The conservation easement to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

13. The plan noting the conservation easement area with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

14. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

15. Signs to indicate the location of and restrictions on the conservation easement area shall be posted no further than every 150 feet along the boundary of the conservation easement area prior to construction.

16. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the conservation easement area signs.

17. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as it involves less than 20,000 square feet of alteration in nontidal wetlands.

2. The Department finds the project to be a public benefit as it will provide an additional municipal water supply to the Town of Epping.

3. Construction of that portion of the proposed groundwater extraction well access driveway located on Lot 003 (Epping Tax Map 37) and the proposed municipal water storage tank located on Lot 283-007 (Epping Tax Map 29) requires removal of approximately 1.70 acres of wetlands and contiguous upland buffer from an existing conservation easement on these lots. The existing conservation easement on Lot 003 (Epping Tax Map 37) and Lot 283-007 (Epping Tax Map 29) was executed as compensatory mitigation for permanent wetlands and surface waters impacts associated with the development of Lot 283 (Epping Tax Map 29), as authorized by the Department under Wetlands and Non-Site Specific Permit No. 2002-0128.

4. To compensate for the above-referenced removal of approximately 1.70 acres from the existing conservation easement on Lot 003 (Epping Tax Map 37) and Lot 283-007 (Epping Tax Map 29), the applicant has agreed to preserve approximately 5.32 acres of wetlands and contiguous upland buffer on Lot 003 (Epping Tax Map 37), which is contiguous with an existing conservation easement area on abutting Lot 001 (Epping Tax Map 37).

5. In an Inter-Department Communication to the DES Wetlands Bureau dated July 1, 2004, the NH Fish & Game Department stated that the gravel access road and well extraction sites are not likely to impact rare turtles.

6. The Department finds that the concerns raised by the Epping Conservation Commission in its letter to the DES Wetlands Bureau dated June 25, 2004 have been sufficiently addressed.

7. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

8. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

9. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-01943 SMITH, DONALD
DURHAM Unnamed Wetland

Requested Action:

Dredge and fill 4,065 Sq. ft. of low value palustrine forested wetlands/poorly drained soils to install a french drain and regrade site to abate drainage problems and seasonal standing water on a residential house lot.

Conservation Commission/Staff Comments:

No comments received from Durham Conservation Commission

APPROVE PERMIT:

Dredge and fill 4,065 Sq. ft. of low value palustrine forested wetlands/poorly drained soils to install a french drain and regrade site to abate drainage problems and seasonal standing water on a residential house lot.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 7/04, as received by the Department on August 18, 2004.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau except as reused within the project area.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h): Dredge and fill 4,065 Sq. ft. of low value palustrine forested wetlands/poorly drained soils to install a french drain and regrade site to abate drainage problems and seasonal standing water on a residential house lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on June 11, 2004. Field inspection determined this is a low value wet area with no drainage resulting in ponding stagnant water and mosquito breeding habitat.

2004-02050 BINDER, PAUL
HANOVER Connecticut River

Requested Action:

Dredge and fill approximately 670 square feet (67 linear feet) within the bank of the Connecticut River to stabilize an eroding segment of riverbank with stone rip-rap.

Conservation Commission/Staff Comments:

The Hanover Conservation Commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill approximately 670 square feet (67 linear feet) within the bank of the Connecticut River to stabilize an eroding segment of riverbank with stone rip-rap.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting dated August 2004, and revised through November 3, 2004 as received by the Department on November 15, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

8. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 28, 2004. Field inspection determined the bank is indeed slumping into the river. The slumping may be in part due to the water discharged by the septic system or another contributing factor may be the downstream culvert outlet.
6. The proposed rip rap will improve an existing situation.
7. NHDES has received a letter from US Fish and Wildlife stating it is unlikely Dwarf Wedge Mussels (*Alasmindonta heterodon*) are in this portion of the river as it is not free flowing.
8. The Upper Valley Connecticut River Subcommittee reluctantly agreed to the project per their letter dated September 24, 2004.

2004-02303 DERRY, TOWN OF
DERRY Unnamed Wetland

Requested Action:

Fill approximately 9,830 square feet within isolated palustrine forested and emergent wetlands to construct two building pads within a four-building industrial development.

Conservation Commission/Staff Comments:

No comments received from the Derry Conservation Commission.

APPROVE PERMIT:

Fill approximately 9,830 square feet within isolated palustrine forested and emergent wetlands to construct two building pads within a four-building industrial development.

With Conditions:

1. All work shall be in accordance with the following plans by Sublime Civil Consultants, Inc.:
 - a) The Grading & Utilities Plan (Sheet C2) dated August 13, 2004, as received by the Department on September 23, 2004; and
 - b) The Miscellaneous Notes & Details (Sheet D1) and the Drainage & Erosion Control Details (Sheet D2) dated August 13, 2004 and revised September 20, 2004, as received by the Department on November 17, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the

Derry Conservation Commission of the date project construction is proposed to begin.

6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as it involves less than 20,000 square feet of alteration in nontidal wetlands.
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6974 on November 1, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.

2004-02696 AUBURN, TOWN OF
AUBURN Unnamed Wetland

Requested Action:

Fill 3,275 sq. ft. of previously disturbed wetland to regain access around building in association with town of Auburn landfill closure.

Conservation Commission/Staff Comments:

Town of Auburn project; Con. Com. did not report.

APPROVE PERMIT:

Fill 3,275 sq. ft. of previously disturbed wetland to regain access around building in association with town of Auburn landfill closure.

With Conditions:

1. All work shall be in accordance with plans by Hoyle Tanner Associates Inc. dated 9/20/04, as received by the Department on 11/5/04.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. in the aggregate than exceeds the criteria of Wt 302.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on [date]. Field inspection determined ...

MINIMUM IMPACT PROJECT

**2004-00622 DARTMOUTH COLLEGE, TRUSTEES OF
LYME Unnamed Pond**

Requested Action:

Dredge 66720 square feet to enlarge the existing man made snowmaking pond, replace the existing culverts on the eastern bank and maintenance dredge within the unnamed stream in two locations.

Conservation Commission/Staff Comments:

The Lyme Conservation Commission has concerns with the dredge within the stream, as they do not see the need at site M3. The Conservation Commission also recommends that mowing cease along the edge of the brook, that shrubs be planted, that a plan to improve the parking lot erosion be considered.

APPROVE PERMIT:

Dredge 66720 square feet to enlarge the existing man made snowmaking pond, replace the existing culverts on the eastern bank and maintenance dredge within the unnamed stream in two locations.

With Conditions:

1. All pond work shall be in accordance with plans by Haley and Aldrich dated February 4, 2004, as received by the Department on April 12, 2004 and all stream work shall be in accordance with plans by D Holler as received by the Department on October 19, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The applicant shall notify in writing the DES Wetlands Bureau, and the Lyme Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Work shall be done in the dry during drawdown.
5. Stream dredging work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

9. The water intake weir within the unnamed stream shall not be modified in any way.

9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during stream maintenance dredge access and areas cleared of vegetation shall be revegetated within three days of the completion of stream maintenance dredge.

10. The Permittee shall monitor the weather and will not commence work within flowing water when rain is in the forecast.

11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

10. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.

11. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. Silt fencing must be removed once the area is stabilized.

. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on July 23, 2003. Field inspection determined the areas proposed for maintenance dredge within the stream are necessary, the proposed maintenance dredge at the inlet to the pond will improve the flow of water into the pond, the existing culverts on the eastern bank are crushed and should be replaced and the existing pond ecosystem will not be significantly altered with the proposed dredge.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system and man made pond.

7. Mitigation is not required under Wt 302.03 as the proposed project will not permanently impact areas under our jurisdiction.

8. DES Wetlands Bureau has coordinated with Watershed and provided no alterations occur to the weir a change in the surface water withdrawal permit is not required.

2004-00783 GAUTHIER, DIANE
HAMPTON Salt Marsh

Requested Action:

Impact 253 square feet of developed upland tidal buffer zone for in-kind replacement of an existing 12'4.5" x 20'3" garage on a single family residential lot on approximately 0.10 acres.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 253 square feet of developed upland tidal buffer zone for in-kind replacement of an existing 12'4.5" x 20'3" garage on a single family residential lot on approximately 0.10 acres.

With Conditions:

1. All work shall be in accordance with plans received by the Department on April 30, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Repairs shall maintain existing size, location and configuration.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau has identified one natural community of special concern within the project area, Gulf of Maine Salt Marsh.
6. DES finds that the Gulf of Maine Salt Marsh will not be impacted as a result of this project, as the building will be constructed within the developed upland tidal buffer zone.

2004-01909 GALLAGHER, JANE
HAMPTON Hampton Harbor

2004-02386 PUBLIC SERVICE OF NH
MADBURY Unnamed Wetland

Requested Action:

Impact approximately 2,128 square feet of wet meadow and forested wetland (Including 1,746 square feet of temporary impact and 382 square feet of permanent impact) to expand and upgrade an existing substation.

Conservation Commission/Staff Comments:

The Madbury Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 2,128 square feet of wet meadow and forested wetland (Including 1,746 square feet of temporary impact and 382 square feet of permanent impact) to expand and upgrade an existing substation.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated September 23, 2004, as received by the Department

on October 1, 2004.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow conditions.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Area of temporary impact shall be regraded to original contours following completion of work.
8. Mulch within the restoration area shall be straw.
9. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
10. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 30 days of the completion of construction.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wet meadow and forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02446 OLSON, TED
ANTRIM Unnamed Wetland

Requested Action:

Fill approximately 750 square feet of forested wetland to install a 12-inch by 22 foot culvert for access to a single family residential lot of approximately 2.6 acres as part of a 3-lot subdivision of approximately 8.2 acres.

Conservation Commission/Staff Comments:

the Antrim Conservation Commission did not comment.

APPROVE PERMIT:

Fill approximately 750 square feet of forested wetland to install a 12-inch by 22 foot culvert for access to a single family residential lot of approximately 2.6 acres as part of a 3-lot subdivision of approximately 8.2 acres.

With Conditions:

1. All work shall be in accordance with plans:
 - a.) The Driveway Plan (Sheet 1 of 1) by Meridian Land Services, Inc. dated September 29, 2004;
 - b.) The 3 Lot Subdivision Plan (Sheet 1 of 1) by Vorce, Soney and Assoc., Inc dated September 15, 2004 as both were received by the Department on November 15, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. This permit is contingent on approval by the DES Site Specific Program.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02591 SOUTHWESTERN COMMUNITY SERVICES

WINCHESTER Unnamed Wetland

Requested Action:

Fill approximately 840 square feet of forested wetland for the construction of a senior housing project.

Conservation Commission/Staff Comments:

The Winchester Conservation Commission signed the Minimum Impact Expedited Application.
Revised plan set submitted on 11/22/04 to DES.

APPROVE PERMIT:

Fill approximately 840 square feet of forested wetland for the construction of a senior housing project.

With Conditions:

1. All work shall be in accordance with Overall Site Plan (Sheet C-2) and Grading & Erosion Control Plan (Sheet C-4) by SVE Associates dated October 4, 2004 with revisions through November 15, 2004, as received by the Department on November 22, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

EXPEDITED MINIMUM

2004-00731 HASTINGS, JANIS
GRANTHAM Skinner Brook

Requested Action:

Impacts not in jurisdiction

Conservation Commission/Staff Comments:

The Grantham Conservation Commission signed the Minimum Impact Expedited Application.

2004-01176 FERRY, WILLIAM
GILFORD Lake Winnepesaukee

Requested Action:

Install two (2) seasonal personal watercraft lifts adjacent to an existing 2,003 sq. ft. of crib/piling dock and install a 13'x24' seasonal canopy in the slip of two (2) 6'x23' piers adjacent to one (1) 6'6"x30 pier to form a w-shaped dock on Lake Winnepesaukee with approximately 270 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Gilford Conservation Commission signed the PBN.

APPROVE PERMIT:

Install two (2) seasonal personal watercraft lifts adjacent to an existing 2,003 sq. ft. of crib/piling dock and install a 13'x24' seasonal canopy in the slip of two (2) 6'x23' piers adjacent to one (1) 6'6"x30 pier to form a w-shaped dock on Lake Winnepesaukee with approximately 270 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Land N' Lakes Construction dated October 15, 2004, as received by the Department on October 21, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04((ad), Installation of a seasonal personal watercraft lift.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02370 RUOTSALA, JOHN
NEW IPSWICH Unnamed Wetland

Requested Action:

Fill approximately 968 square feet within the bed and banks of an intermittent stream to install a 18-inch by 45 foot culvert for access to a single family residential lot.

Conservation Commission/Staff Comments:

The New Ipswich Conservation Commission signed the Minimum Impact Expedited Application.
After I spoke with the Town of New Ipswich, the proposed lot is an existing lot of record.

APPROVE PERMIT:

Fill approximately 968 square feet within the bed and banks of an intermittent stream to install a 18-inch by 45 foot culvert for access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated September 9, 2004, as received by the Department on October 4, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02587 PERRAULT, SUSAN
MADISON Unnamed Wetland

Requested Action:

Temporarily impact 32 square feet of jurisdictional wetland to install a 8-inch force main to upgrade a residential septic system on approximately 1.18 acres

Conservation Commission/Staff Comments:

The Madison Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 32 square feet of jurisdictional wetland to install a 8-inch force main to upgrade a residential septic system on approximately 1.18 acres

With Conditions:

1. All work shall be in accordance with plans by Briggs Land Survey dated September 27, 2004, as received by the Department on October 25, 2004.
 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
 3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
 4. Work shall be done during low flow conditions.
 5. All material removed during work activities shall be placed out of DES's jurisdiction.
- Area of temporary impact shall be regraded to original contours following completion of work.
6. Mulch within the restoration area shall be straw.
 7. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
 8. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 30 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02596 DARCY, JOEL
GILFORD Unnamed Wetland

Requested Action:

Dredge approximately 4,196 square feet of wet meadow for the construction of a wildlife pond.

Conservation Commission/Staff Comments:

The Gilford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge approximately 4,196 square feet of wet meadow for the construction of a wildlife pond.

With Conditions:

1. All work shall be in accordance with plans by Michael E. Lynch, NRCS dated January 2004, as received by the Department on October 27, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p) Construction of a pond with less than 20,000 sq.ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

PERMIT BY NOTIFICATION

2004-02629 REED, SCOTT
CANAAN Unnamed Wetland

Requested Action:

PBN#1, Fill approximately 798 square feet within the bed and banks of an intermittent stream to install a 3-foot by 25-foot culvert for access to a single family residential lot.

Conservation Commission/Staff Comments:

The Canaan Conservation Commission signed the PBN.

APPROVE PERMIT:

PBN#1, Fill approximately 798 square feet within the bed and banks of an intermittent stream to install a 3-foot by 25-foot culvert for access to a single family residential lot.

2004-02731 FLETCHER, HENRY
WALPOLE Unnamed Stream

Requested Action:

PBN#1, Impact 265 square feet of bank along an unnamed perennial stream for the installation of two (2) concrete piers to construct a bridge.

Conservation Commission/Staff Comments:

The Walpole Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Impact 265 square feet of bank along an unnamed perennial stream for the installation of two (2) concrete piers to construct a bridge.